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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 3610 OF 2024**

Parveen Juzar Burmawala ... Petitioner

vs.

Juzar Asgar Burmawala and Anr ... Respondents

Ms. Rekha Musale, for Petitioner.

Mr. A.R. Metkari, APP for Respondent-State.

CORAM : GAURI GODSE, J.

DATED : 21st AUGUST 2024

ORDER :-

1. Learned counsel for the petitioner submits that this petition is filed to challenge the order passed by the Family Court on 8th August 2024, to the extent of imposing cost. By the said order, the petitioner's application for restoration of perjury application is allowed, subject to payment of cost. After arguing the petition for sometime, learned counsel for the petitioner submits that the petitioner be given liberty to make an application before the Family Court to review or modify the order with regard to payment of cost. She submits that due to the petitioner's medical condition, she is not in a position to pay the cost.

2. Since, the impugned order is in favour of the petitioner and

the only grievance is with regard to payment of cost, I find it appropriate that the request for cancelling the order of cost can be appropriately decided by the same Judge. Hence, the petitioner is granted liberty to file an appropriate application before the same Judge seeking review or modification of the order dated 8th August 2024.

3. In view of the aforesaid liberty, learned counsel for the petitioner seeks leave to withdraw the appeal. Leave granted with liberty as recorded above.

4. Writ Petition is disposed of as withdrawn with the aforesaid liberty, subject to the petitioner filing an appropriate application before the same Judge of the Family Court within two weeks from today.

5. The directions regarding payment of cost shall remain stayed for a period of four weeks from today. Petitioner is at liberty to make an appropriate prayer before the Family Court for seeking stay to the direction for payment of cost during the pendency of the application for review or modification, if filed.

6. Writ Petition is disposed of in the above terms.

(GAURI GODSE, J.)